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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

TESLOVICH, TAMARA

ART UNIT

PAPER NUMBER

2137

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/088,148

Applicant(s)

IKEDA, KIYOKAZU

Examiner

Tamara Teslovich

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 9-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the Applicant's Remarks and Amendments filed March 16, 2007.

Claims 3-4 and 6-8 have been cancelled.

Claims 1-2, 5 and 9 are amended.

Claim 17 is new.

Claims 1-2, 5, and 9-17 are pending and herein considered.

Response to Arguments

Applicant's arguments, filed March 16, 2007, with respect to the rejection(s) of claim(s) 1, 2, 5 and 9-16 under 35 U.S.C. 102(e) in view of United States Patent No. 6,856,820 B1 to Kolls has been fully considered but is not persuasive.

Applicant's arguments amount to a general allegation that Kolls fails to teach or disclose wherein "the service server can access the electronic appliance only through the authentication server". The Examiner disagrees with such allegations, drawing the Applicant's attention to a number of sections within Kolls which provides for the Applicant's limitation. Column 14 lines 11-49 of Kolls provides for communication between service servers and electronic appliances, wherein communication between the service servers ("internet based servers") and electronic appliances ("internet appliances") take advantage of a series of internet based data processing resources, through which communication may be had instead of a direct Internet connection. Kolls

provides for the use of both direct and indirect Internet connections, such as those through authentication servers ("internet based data processing resources") by way of "ISP, a TCP/IP connection, a PPP or SOCKET layer connection, a RAS connection, or by utilizing wireless PDA standards and protocols, or wireless Internet standards and protocols, or other Internet connection points or connection types" (col.14 lines 33-42). Kolls goes on in column 26 lines 58-67 to teach the use of "data security layers, SSL secure sockets, or other proxy, firewall, or encrypted security." In addition, Kolls discloses the use of "encrypted packet protocols or other network protocols" (col.26 lines 65-67). It is clear from these sections that Kolls is concerned with the secure nature of the communications between the service centers and electronic appliances, to be sure that communication between the two is neither spoofed, nor stolen, not misdirected. Kolls even goes on in column 54 lines 60-67 to disclose the use of "biometric authorization routines." Through such routines, authorization is done with "locally or remotely" (col.55 lines 4-13). Such communication is not done directly between the internet appliance and the service server but rather necessitates the use of an additional device to approve and authorize communication. Such communication clearly includes "data communicated from an Internet based server" (col.55 lines 21-23).

Based upon the above-mentioned sections of the Kolls reference as well as the reference in its entirety, the Examiner believes that the Applicant is incorrect in his assertion that Kolls fails to provide for situations wherein "the service server can access the electronic appliance only through the authentication server". As such, the Examiner maintains her previously set forth 35 U.S.C. 102(e) rejections of claims 1, 2, 5, and 9-

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16. The Examiner has included those rejections below, amended in accordance with the Applicant's amendments and including a 35 U.S.C. 102(e) rejection of the Applicant's newly added claim 17 in view of United States Patent No. 6,856,820 B1 to Kolls.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 2, 5 and 9-17 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,856,820 B1 to Kolls.

Regarding **claim 1**, Kolls discloses a service providing system (col.3 line 45 thru col.4 line 20), including, at least, a plurality of electronic appliances, a service server (Internet based server), a communication network, and an authentication server being connected to the communication network; each electronic appliance (in-vehicle device) being equipped with a wireless communication terminal function, being mounted in a moving body, and being assigned a unique device ID, and the service server (Internet based server) having a function for providing a predetermined service and storing said unique device ID for each electronic appliance to which service can be provided, the

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service providing system comprising; authentication process means for allowing a communication terminal apparatus (global appliance/internet appliance) to access a respective electronic appliance (in-vehicle device) only when the communication terminal apparatus (global appliance/internet appliance) has been authenticated; registration means for registering said unique device ID assigned to said each electronic appliance and transmission means for using said unique device ID to provide access, via communication network, from the service server (Internet based server) to a specified electronic appliance to which a specified service needs to be provided and transmitting service information, which has a predetermined content for realizing the specified service, to the specified electronic appliance, in which the communication terminal apparatus and the service server can access the electronic appliance only through the authentication server (col.3 line 45 thru col.4 line 20; col.14 lines 11-49; col.26 lines 65-67; col.55 lines 4-23).

Regarding **claim 2**, Kolls discloses a service providing system (col.3 line 45 thru col.4 line 20), including, at least, a plurality of electronic appliances, a service server (Internet based server), a communication network, and an authentication server being connected to the communication network; each electronic appliance (in-vehicle device) being equipped with a wireless communication terminal function, being mounted in a moving body , and being assigned a unique device ID, and the service server (Internet based server) having a function for providing a predetermined service and storing said unique device ID for each electronic appliance to which service can be provided, the

service providing system comprising; authentication process means for allowing a communication terminal apparatus (global appliance/internet appliance) to access a respective electronic appliance (in-vehicle device) only when the communication terminal apparatus (global appliance/internet appliance) has been authenticated; first transmission means for providing access, via said communication network, from one of said electronic appliances to said service server (Internet based server) and transmitting information which has a predetermined content that can be used by a specified service from said one of said electronic appliances to said service server (Internet based server); and second transmission means for using said unique device ID to provide access, via said communication network, from said service server (Internet based server) to a specified electronic appliance to which a specified service needs to be provided and transmitting service information, which has a predetermined content for realizing the specified service, to the specified electronic appliance only through the authentication server (col.3 line 45 thru col.4 line 20); in which the communication terminal apparatus and the service server can access the electronic appliance only through the authentication server (col.3 line 45 thru col.4 line 20; col.14 lines 11-49; col.26 lines 65-67; col.55 lines 4-23).

Regarding **claim 5**, Kolls discloses a service providing system (col.3 line 45 thru col.4 line 20), composed of an electronic appliance, a communication network, a communication terminal apparatus, and an authentication server, the electronic appliance (in-vehicle device) being one of an electronic appliance that mounted in a

moving body and is equipped with a mobile communication terminal function and a mobile communication terminal apparatus (global appliance/internet appliance) with a fixed access path to the communication network and the authentication server being connected to said communication network, the service providing system comprising; access means that enables the communication terminal apparatus (global appliance/internet appliance) to access the electronic appliance via the communication network using a device ID store in a service server that has been assigned uniquely to the electronic appliance, the communication terminal apparatus accessing the electronic appliance only through the authentication server; terminal ID generating means, provided on said communication network, for generating a terminal ID for said communication terminal apparatus using information that identifies said fixed access path by which said communication terminal apparatus accesses said communication network; registration means for registering said unique device ID assigned to each electronic appliance and authentication process means provided in said authentication server, for using said terminal ID to perform an authentication process for said communication terminal apparatus that has accessed the authentication server and allowing said communication terminal apparatus to access said electronic appliance only when the communication terminal apparatus has been authenticated; and transmission/reception means for receiving and transmitting service information, which has a predetermined content for realizing a specified service, between said communication terminal apparatus that has been authenticated by said authentication process means and said electronic appliance (uniquely identify and transfer

information), in which the service server can access the electronic appliance only through the authentication server (col.3 line 45 thru col.4 line 20; col.14 lines 11-49; col.26 lines 65-67; col.55 lines 4-23).

Regarding **claim 9**, Kolls discloses a communication apparatus (col.2 lines 5-65) for controlling communication between a plurality of electronic appliances, each electronic appliance being connected to a network, being provided with a unique device ID for identifying the electronic appliance, and being capable of transmission, the communication apparatus comprising communication means for communicating with another communication apparatus via said network; storage means for storing group information in which the plurality electronic appliances, which are permitted to communicate between themselves after the communication is authenticated, are registered as a group; authentication process means for allowing a communication terminal apparatus (global appliance/internet appliance) to access the electronic appliance (in-vehicle device) only when the communication terminal apparatus (global appliance/internet appliance) has been authenticated; registration means for registering said unique device ID assigned to each electronic appliance; a service server operable to provide service information to one or more of the electronic appliances; and judgment means for judging, based on unique device IDs transmitted via the network before communication commences between said plurality electronic appliances and group information stored in said storage means, whether the communication is permitted; control means for having said communication means transmit a result judgment means

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to an exchange apparatus that is connected to said network and performs an exchange process for communication between electronic appliances based on the transmitted unique device IDs, in which the respective device and the service server can access the respective electronic appliance or appliances only through the authentication server (uniquely identify and transfer information) (col.3 line 45 thru col.4 line 20; col.14 lines 11-49; col.26 lines 65-67; col.55 lines 4-23).

Regarding **claim 10**, Kolls discloses wherein a wireless communication is performed between said electronic appliances and the exchange apparatus (col.3 line 45 thru col.4 line 20).

Regarding **claim 11**, Kolls discloses wherein said electronic appliances are navigation apparatuses (col.3 line 45 thru col.4 line 20).

Regarding **claim 12**, Kolls discloses wherein the electronic appliances are mobile telephones (col.3 line 45 thru col.4 line 20).

Regarding **claim 13**, Kolls discloses wherein each of said electronic appliances is connected to said communication means in said exchange apparatus, and when communicating, each of said electronic appliances transmits said unique device ID to said communication apparatus, said exchange apparatus transmits a communication means ID for specifying said communication means to said

communication apparatus, said communication apparatus authenticates said electronic appliance based on said group information, by referring combination of said transmitted unique device ID and said transmitted communication means ID (col.1 lines 40-48, col.5 lines 42-63).

Regarding **claim 14**, Kolls discloses wherein the group information is generated when an electronic appliance communicates with the communication apparatus via the network (col.3 line 45 thru col.4 line 20).

Regarding **claim 15**, Kolls discloses wherein the group information also includes content data that can used by the electronic appliances which are registered in the group information (col.3 line 45 thru col.4 line 20).

Regarding **claim 16**, Kolls discloses wherein the content data is geographical information (col.3 line 45 thru col.4 line 20).

Regarding **claim 17**, Kolls discloses a service providing system operable within the Internet, said system comprising a navigation unit mountable in a vehicle and operable to provide navigational and positional information of the vehicle to an operator of the vehicle, said navigation unit being assigned a unique identification ID (col.32 line 49 through col.33. line 34); a service server operable to provide a predetermined service and to store said unique ID for said navigation unit to which service can be

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provided (col.34 lines 36-62; col.35 lines 1-15); a communication network connectable to the Internet (col.34 lines 19-43); an authentication server operable to determine if access to the navigation unit is permissible (col.14 lines 11-49; col.26 lines 65-67; col.55 lines 4-23); and a communication terminal apparatus connectable to the navigation unit and the communication network and operable to enable information to be supplied to the navigation unit from the Internet by way of the communication network and to enable service information to be supplied to the navigation unit by use of said unique ID from the service server by way of the Internet and the communication network (col.34 lines 36-62; col.35 lines 1-15), in which the communication terminal apparatus and the service server can access the navigation unit only through the authentication server (col.3 line 45 thru col.4 line 20; col.14 lines 11-49; col.26 lines 65-67; col.55 lines 4-23).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

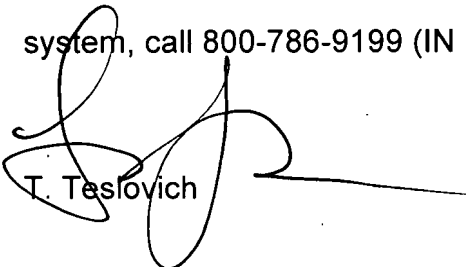
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the


shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


T. Teslovich


MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137